

## BEST AVAILABLE COPY

ALTERNATIVE TO PTO/68/06a/b (06-03)

|  |   |    |   |                          |                    |
|--|---|----|---|--------------------------|--------------------|
| Substitute for form 1449/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                    |
|  |   |    |   | Application Number       | 10/010,536         |
|  |   |    |   | Filing Date              | December 5, 2001   |
|  |   |    |   | First Named Inventor     | Jason F. HUNZINGER |
|  |   |    |   | Art Unit                 | 2684               |
|  |   |    |   | Examiner Name            | P. Sobutka         |
|  |   |    |   | Attorney Docket Number   | 440402000400       |
| Sheet  | 1 | of | 1 |                          |                    |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       | 1.                       | US-6,104,927                             | 08-15-2000                     | W. Willey  |   |
|                       | 2.                       | US-20010055969-A1                        | 04-20-2001                     | J. Bonta et al.                                    |   |
|                       | 3.                       | US-20020034947-A1                        | 03-21-2002                     | S. Soliman   |   |
|                       | 4.                       | US-20030002525-A1                        | 01-02-2003                     | F. Grilli  |   |
|                       | 5.                       | US-20040233883-A1                        | 11-25-2004                     | R. Ludwig et al.                                   |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                |  |   |
|--------------------------|--------------------------|---|--------------------------------|--|---|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |  |   |
|                          |                          |   |                                |  |   |

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                          |   |                |
|                                 |                          |   |                |

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |          |
|-----------------------|--|--------------------|----------|
| Examiner<br>Signature |  | Date<br>Considered | 6/8/2005 |
| 1a-793434             |  |                    |          |

**MORRISON | FOERSTER**555 WEST FIFTH STREET  
LOS ANGELES  
CALIFORNIA 90013-1024TELEPHONE: 213.892.5200  
FACSIMILE: 213.892.5454

WWW.MORO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITYTOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS**To:**

| NAME:                                       | FACSIMILE:     | TELEPHONE:     |
|---|----------------|----------------|
| Group Art 2684<br>ATTN: Examiner P. Sobutka | (571) 273-7887 | (571) 272-7887 |

**FROM:** Beverly S. Carter**DATE:** June 8, 2005

|                                     |   |  |
|-------------------------------------|---|--|
| Number of pages<br>with cover page: | 5 | RE: U.S. Patent Application No. 10/010,536<br>Our Ref.: 44040-20004.00 |
|-------------------------------------|---|--|

Preparer of this slip has confirmed that facsimile number given is 9098/BSC4  
correct:**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:**

Pursuant to your telephone conversation with Mr. Glenn Kubota, attached are the IDS documents. These documents have been also been sent to MS ISSUE FEE.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
BEVERLY S. CARTER AT 213 892 5267 AS SOON AS POSSIBLE.

LA-779910

I hereby certify that this correspondence is being transmitted by facsimile to telephone number (703) 872-8306 addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 7, 2005

Signature: 

Beverly S. Calder

Patent

Docket No. 440402000400

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jason F. HUNZINGER

Serial No.: 10/010,536

Filing Date: December 5, 2001

For: MINIMUM INTERFERENCE  
MULTIPLE-ACCESS METHOD AND  
SYSTEM FOR CONNECTION RESCUE

Examiner: P. Sobutka

Group Art Unit: 2684

Notice of Allowance Dated:  
March 11, 2005

Confirmation No.: 2790

**CORRECTION OF SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, and in correction of the information disclosure statement filed on May 13, 2005, Applicant submits for consideration in the above-identified application the U.S. documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are not enclosed. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in an office action dated April 27, 2005 for related U.S. Serial No. 09/978,974. A certification under 37 C.F.R. § 1.97(e)(2) follows:

I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement

**was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure.**

This Information Disclosure Statement is submitted:

- ☒ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☒ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.


The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other

fees due in connection with the filing of this document to Deposit Account No. 03-1952  
referencing 440402000400.

Dated: June 7, 2005

Respectfully submitted,

By   
Glenn M. Kubota  
Registration No.: 44,197  
MORRISON & FOERSTER LLP  
555 West Fifth Street  
Los Angeles, California 90013-1024  
(213) 892-5752